## TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE Transcriber's Office FLOOR DEBATE

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I could be carrying a concealed weapon and be in therapeutic. violation of all of those provisions, and yet be exonerated. There is nothing that says, under the existing law, carrying a concealed weapon while under the influence is a crime without a defense. If you got a permit, it's a violation of the law and there is no defense. You're punished. As long as I keep that pistol concealed and I'm not menacing anybody, the mere fact that I have it, the mere fact that I've been drinking is not going to aggravate my carrying the concealed weapon. While I'm carrying John Barleycorn inside, I also have a satchel on the outside full of money that I'm delivering to the bank. Sr maybe I get stopped for driving under the influence. I'm charged with driving under the influence. And I also have a pistol in my coat pocket and I'm charged with carrying a concealed weapon. I show that I've got this money, that I'm delivering it to the bank, that there is a just basis for me to feel that I need this protection and I'm exonerated of the charge of carrying the concealed weapon. And I know of cases where that has happened. If I'm a permit holder and I'm carrying that concealed weapon and I have a trace of alcohol in my system, not that it impairs me, not that I'm under its influence, I am in violation of the law because I've got that permit and I do not have the escape hatch that currently exists under the law for somebody carrying concealed weapon. I know that Senator Tyson and those who drafted this legislation had not thought that situation through. Otherwise, they're placing more restrictions on a person who wants to carry a gun than would be the case right now. So what I would like to do is return this bill to the Judiciary Committee, let it review the committee amendment, rewrite that, consider all the pending amendments and whichever ones might make the bill what the committee thinks it ought to be if it's going to be out here, adopt those amendments, redraft a committee amendment and send the bill out here with that if the committee would decide to send it out here. I don't like the Senator Tyson doesn't like the bill in its present form. Senator Tyson has even put together another amendment which includes material from amendments I have offered, which, if I had offered it, would not have been accepted. We all know that. But Senator Tyson and others know that even with the adoption of the committee amendments, this bill is not in a form to be enacted into law. So what I have got to do, and I'm prepared to